



U.S. Department of Justice

Environment and Natural Resources Division

90-5-1-1-09551; -09551/1; -09806

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August 28, 2015

Via ECF and U.S. Mail

Hon. Carmen Consuelo Cerezo
United States District Judge
United States District Court
District of Puerto Rico
Federico Degetau Federal Building
150 Carlos Chardón Street
San Juan, PR 00918-1767

Re: Status Report and Letter Request for Assignment of Magistrate Judge
United States v. Municipality of San Juan, et al., 14-CV-1476 (CCC) (D.P.R.)

Dear Judge Cerezo:

The United States respectfully submits this Status Report and requests the assistance of the Court in facilitating the resolution of this action.

For the reasons set forth below, the United States respectfully requests the assignment of a Magistrate Judge, pursuant to L. Civ. R. 72(b)(1), for the purpose of holding such settlement conferences or mediation proceedings as may be necessary to facilitate the conclusion of settlement negotiations, and for the purpose of issuing such orders as may be appropriate. If the Court is so inclined, we also ask that the current stay of pre-trial matters be extended at least through the date of a conference before the assigned Magistrate Judge. We would greatly appreciate any effort to schedule such a conference within the next two weeks (by Friday, September 11), subject, of course, to the Court's availability.

On August 4, 2015, on behalf of all of the parties, the United States requested a further extension of the stay of pre-trial matters in this action through August 28, 2015. Since we last reported to the Court, the parties have continued their efforts to finalize the three settlement documents. Earlier this month, the United States circulated what it had hoped would be final versions of settlement documents to all defendants for their review and approval. Notwithstanding the diligence and attention given by the parties and their counsel to achieving a resolution prior to August 28, 2015, we have been unable to reach a final agreement. The United States believes judicial intervention will facilitate a prompt resolution of disagreements over the few remaining terms.

Hon. Carmen Consuelo Cerezo
August 28, 2015

Accordingly, we respectfully request that this case be referred to a Magistrate Judge for the purpose set forth above. Following such referral, the undersigned will gladly coordinate the submission of a joint statement of open issues and the parties' respective positions. The United States intends to continue to pursue settlement discussions with all parties in order to narrow, if not eliminate, any further barriers to settlement. If those efforts are successful, we will apprise the Court of such progress in advance of any in person conference.

Respectfully submitted,



Keith T. Tashima
Senior Attorney
Environmental Enforcement Section

cc: Counsel of Record via ECF